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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 KENNETH ELLIOTT,
14 Plaintiff,

15 vs.

16 MARTIN O'MALLEY, Commissioner of
17 Social Security,

18 Defendant.

Civil No. 3:24-CV-00199-CSD

ORDER

19 ORDER

20 Pursuant to the parties' stipulated motion, the Court hereby ORDERS that this matter is
21 remanded to the Commissioner under 42 U.S.C. § 405(g) (fourth sentence), for further administrative
22 proceedings. Upon remand, the Appeals Council will vacate the prior administrative law judge
23 (ALJ) decision and instruct an ALJ to offer Plaintiff the opportunity for a hearing, develop the record
24 further, and issue a new decision.

1 The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against
2 Defendant, reversing the final decision of the Commissioner. After judgment, Plaintiff may be
3 entitled to reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C.
4 § 2412(d), upon proper request to this Court.

5 DATED August 15, 2024

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UNITED STATES MAGISTRATE JUDGE